

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

HAMID HASSAN RAZA, MASJID AL-ANSAR, ASAD DANDIA, MUSLIMS GIVING BACK, MASJID AT-TAQWA, AND MOHAMMAD ELSHINAWY,

Plaintiffs,

v.

CITY OF NEW YORK; BILL DE BLASIO, in his official capacity as Mayor of the City of New York; WILLIAM J. BRATTON, in his official capacity as Police Commissioner for the City of New York; and JOHN J. MILLER, in his official capacity as Deputy Commissioner of Intelligence for the City of New York,

Defendants.

13-cv-3448 (PKC) (JO)

ECF CASE

JOINT MOTION SEEKING ENTRY OF SETTLEMENT STIPULATION AND ORDER

The parties in the above-captioned case, by and through their undersigned attorneys, jointly move this Court before the Honorable Pamela K. Chen, United States District Judge at the United States Courthouse, Eastern District of New York, 225 Cadman Plaza East, Brooklyn, New York, 11201, to so-order and enter the attached Stipulation of Settlement and Order (the “Stipulation”) upon notification by the parties that certain conditions within it have been met.

As the Court knows, the parties have been engaged in extensive and vigorous settlement negotiations in good faith over a period of several months. They have now agreed upon settlement terms, which are reflected in the Stipulation.

The parties' settlement discussions were conducted jointly with the parties in *Handschr v. Special Services Division*, 71-cv-2203 (CSH) (S.D.N.Y.) ("Handschr"), a class action in which there is a consent decree and an accompanying set of court-ordered guidelines (the "Handschr Guidelines"), governing the New York City Police Department's investigation of political activity. Class counsel in the *Handschr* case alleged that the Police Department's surveillance and investigation of individuals and organizations associated with the Muslim religion violated the Handschr Guidelines.

As described in the Stipulation, the parties' settlement terms include modifications to the Handschr Guidelines, which are set forth in the "Proposed Modified Handschr Guidelines," attached as Exhibit A to the Stipulation. These modifications are subject to approval by the court in *Handschr*, and the parties' settlement is contingent upon that approval. Therefore, the parties respectfully request that this Court approve and so-order the Stipulation only if and when it is notified by the parties that the court in *Handschr* has approved the Proposed Modified Handschr Guidelines.

Date: January 7, 2016

COUNSEL FOR DEFENDANTS

ZACHARY W. CARTER
Corporation Counsel of the
City of New York

By: /s/ Peter G. Farrell
Peter G. Farrell
Deputy Division Chief
100 Church Street
New York, NY 10007

COUNSEL FOR PLAINTIFFS

By: /s/ Hina Shamsi
Hina Shamsi
Ashley Gorski
Patrick Toomey
American Civil Liberties Union
Foundation
125 Broad Street, 18th Floor
New York, NY 10004
T: (212)-549-2500
F: (212)-549-2654

Ramzi Kassem
Naz Ahmad
CLEAR Project

Main Street Legal Services, Inc.
CUNY School of Law
2 Court Square
Long Island City, NY 11101
T: (718)-340-4558
F: (718)-340-4478

Arthur N. Eisenberg
Beth Haroules
New York Civil Liberties Union
Foundation
125 Broad Street, 19th Floor
New York, NY 10004
T: (212)-607-3300
F: (212)-607-3318

Hector Gallegos
Morrison & Foerster LLP
2000 Pennsylvania Avenue, NW
Suite 600
Washington, D.C. 20006
T: (202)-887-1500
F: (202)-887-0763

Kyle Mooney
Adam Hunt
Morrison & Foerster LLP
250 West 55th Street
New York, NY 10019
T: (212)-468-8000
F: (212)-468-7900